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20 UNITED STATES DISTRICT COURT
21 FOR THE NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 AMERICAN FEDERATION OF
24 GOVERNMENT EMPLOYEES, AFL-CIO;
25 AMERICAN FEDERATION OF STATE
26 COUNTY AND MUNICIPAL EMPLOYEES,
27 AFL-CIO, et al.,

28 Plaintiffs,

v.

UNITED STATES OFFICE OF PERSONNEL
MANAGEMENT, et al.,

Defendants.

Case No. 3:25-cv-01780-WHA

**PLAINTIFFS' NOTICE OF
DEPOSITION OF JESSICA
PALATKA**

NOTICE OF DEPOSITION

PLEASE TAKE NOTICE that, pursuant to Federal Rules of Civil Procedure 26 and 30, Plaintiffs, by and through undersigned counsel, will take the deposition of Jessica Palatka on **March 11, 2025 at 11:00 a.m. PST** at 80 F Street, NW, Washington, DC 20001, as agreed upon by the parties. The deposition will be taken before a person authorized by law to administer oaths under Federal Rules of Civil Procedure 28(a) and shall continue from one day to the next, excluding Sundays and holidays, until the examination is completed.

Plaintiffs intend and reserve the right to record the deposition testimony of Jessica Palatka by videotape and instant visual display, in addition to recording the testimony stenographically and via LiveNote/Realtime, and further intend and reserve the right to provide a secure live internet, video, audio and/or telephonic stream for parties and counsel of record. Plaintiffs reserve the right to use the videotape deposition at the time of trial

1 DATED: March 6, 2025

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*Attorneys for Plaintiff American Federation of State
County and Municipal Employees (AFSCME)*

1 **PROOF OF SERVICE**

2 I am employed in the City and County of San Francisco, California. I am over the age of
3 eighteen years and not a party to the within action; my business address is 177 Post Street, Suite 300,
4 San Francisco, California 94108. On March 6, 2025, I served the following document(s):

5 **PLAINTIFFS' NOTICE OF DEPOSITION OF JESSICA PALATKA**

6 on the parties, through their attorneys of record, as designated below:

7 **By Electronic Service:** By Email, I caused such document(s) to be served via electronic mail on the
8 parties in this action by transmitting true and correct copies to the following email address(es):

9 KELSEY J. HELLAND
10 Assistant United States Attorney
11 450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
kelsey.helland@usdoj.gov

12 I declare under penalty of perjury under the laws of the State of California that the foregoing
13 is true and correct. Executed March 6, 2025, at San Francisco, California.

14
15 /s/ Giorgia Lingardi
16 Giorgia Lingardi
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EXHIBIT A

Pursuant to 15 CFR 15.15, the Plaintiffs in the above-captioned action submit the following written statement concerning the above request for testimony.

1. Title of Legal Proceeding: *American Federation of Government Employees, AFL-CIO et al. v. United States Office of Personnel Management, et al.*, No. 25-cv-01780-WHA.
2. Forum: U.S. District Court for the Northern District of California.
3. Requesting party's interest in legal proceeding:

Requesting party are Plaintiffs American Federation of Government Employees, AFL-CIO ("AFGE"); American Federation of State County and Municipal Employees, AFL-CIO ("AFSCME"); AFGE Local 1216, United Nurses Associations of California/Union of Health Care Professionals, AFSCME, AFL-CIO ("UNAC/UHCP"); AFGE Local 2110; Main Street Alliance; Coalition to Protect America's National Parks; Western Watersheds Project; Vote Vets Action Fund Inc.; Common Defense Civic Engagement; the American Public Health Association; the Association of Flight Attendants-CWA, AFL-CIO ("AFA"); the American Geophysical Union; Climate Resilient Communities; Point Blue Conservation Science; and the State of Washington.

4. Reason for demand and relevance of request:

The defendants named in the Amended Complaint are the United States Office of Personnel Management ("OPM") and its Acting Director, Charles Ezell. The Defendants named in the Second Amended Complaint include 23 federal agencies and their heads, including the Department of Commerce and Commerce Secretary Howard Lutnick.

The subject matter of this litigation is the unlawful terminations of federal probationary employees across the federal government. Plaintiffs are informed and believe that Jessica Palatka possesses knowledge of the events related to terminations of probationary employees by the Department of Commerce that commenced on or about February 13, 2025, including but not limited to direction by the Office of Personnel Management (OPM) with respect to the termination of probationary employees to the federal agencies including the Department of the Commerce, and the Department of the Commerce and its sub-agencies (including but not limited to the National Oceanic and Atmospheric Administration, National Weather Service, and National Marine Fisheries Service) implementation of that direction.

Counsel for OPM, represented by the U.S. Attorneys' Office for the Northern District of California and the U.S. Department of Justice, Civil Division, Federal Programs have been aware of the scope of Plaintiffs' requested relief, which encompasses actions taken by the Department of Commerce and its sub-agencies, since the case was initially filed on February 19, 2025. Counsel for OPM have also been aware of Plaintiffs' intention to add agency defendants including the Department of Commerce to the case since February 27, 2025.

5. The desired testimony not reasonably available from any other source: The information within Ms. Palatka's direct knowledge is not available from any other source.
6. Intended use of testimony and general summary of desired testimony: See number 4.
7. Time required to prepare for, travel to, and present testimony: Plaintiffs estimate a maximum of two hours testimony including both direct and cross examination. Testimony will take place in Washington D.C. so significant travel time is not required and significant preparation time should not be required.
8. No document could be provided and used in lieu of testimony: The Court has directed that a declaration in lieu of live testimony will not suffice.